

MKS INSTRUMENTS, INC.,)	CASE NO. C 09-02297 JSW
)	
Plaintiff,)	[PROPOSED] STIPULATED
)	INTERIM ORDER
vs.)	
)	
NEW POWER PLASMA and DOES 1-10, inclusive,)	Date:
)	Time:
Defendants.)	Location: Courtroom 11
)	United States Courthouse
)	450 Golden Gate Avenue
)	San Francisco, Cal. 94102
)	

1. Pending disposition of the present litigation on the merits, NPP agrees not to make, use (including use in testing or qualification processes), offer to sell, or sell its products in the U.S., import its products into the U.S., or to provide such products to third parties for testing or qualification processes in the U.S.

~~[PROPOSED]~~ STIPULATED INTERIM ORDER
Case No. C 09-02297-JSW

3. This Court shall retain jurisdiction of this matter for enforcement of this stipulation through trial and disposition of this case on the merits.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED: August 4, 2009

/s/ Christopher D. Sullivan

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DATED: August 4, 2009

/s/ Paul Grandinetti

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: August 4, 2009


JEFFREY S. WHITE
United States District Court Judge